

REMARKS

Applicant has carefully reviewed the Application in light of the Office Action dated August 12, 2003. Claims 19, 22, 25, and 26 are pending in the Application. Applicant respectfully requests reconsideration of all pending claims and favorable action in this case.

Section 102 Rejections of Claims

The Examiner rejects Claims 19, 22, 25, and 26 under 35 U.S.C. §102(b) as being anticipated by U.S. Patent Number 4,623,965 issued to Wing (hereinafter "*Wing*"). Applicant is still confused by the surprise reappearance of *Wing*, as its deficiencies were well-documented by both the Examiner and Applicant. Applicant is equally astounded at the metamorphosis that *Wing* has ostensibly undergone. Once used as a supplementary reference under §103, which the Examiner used to purportedly teach only a part of the present invention, the Examiner now contends that *Wing* has progressed into a prior art reference that suddenly teaches all of the limitations of the pending claims.

The Examiner previously explained: "*Wing* lacks the teaching of a check printer encoding the check amount in magnetic ink at a predetermined location." (See page 2 of Office Action of February 8, 2002.) In addition, without solicitation from Applicant, the Examiner further made it clear that: "[the] *Wing/Schultz* [combination] lack[s] the teaching of an input receiving a payee name selected from a list of payee names by the user, a memory operable to store and recall the list of payee names, and a display to display the list of payee names." (See page 2 of Office Action of February 8, 2002.) In both cases, the Examiner was correct; *Wing* suffers from these shortcomings as well as many others that result in it not being related to the patentability of the pending claims.

Accordingly, *Wing* continues to lack the necessary disclosure to anticipate Independent Claim 19. For example, *Wing* fails to teach, suggest, or disclose a portable check printer operable to: receive the check amount from the input device and encode the check amount in magnetic ink at a predetermined location on a check; and receive the selected payee name and print the selected payee name in a payee field on the check, as recited in Independent Claim 19. Moreover, nowhere in *Wing* is there even a remote teaching, suggestion, or disclosure of a portable check printer operable to: receive the check amount from the input device and encode the check amount in magnetic ink at a predetermined location on a check; and receive the selected payee name and print the selected

payee name in a payee field on the check, as recited in Independent Claim 19. Thus, based on the Examiner's own admission, and the subject matter of *Wing*, it is impossible that such a reference anticipates Independent Claim 19. For at least these reasons, Independent Claim 19 is patentable over *Wing* and notice to this effect is respectfully requested.

Claims 22, 25, and 26 depend from Independent Claim 19 and add a limitation that further distinguishes them from the prior art of record. Therefore Claims 22, 25, and 26 are allowable, for example, for the same reasons as identified above. Notice to this effect is respectfully requested.

CONCLUSION

Applicant has now made an earnest attempt to place this case in condition for immediate allowance. For the foregoing reasons and for other reasons clear and apparent, Applicant respectfully requests reconsideration and allowance of Claims 19, 22, 25, and 26.

The Commissioner is hereby authorized to charge any fees or credit any overpayment to Deposit Account No. 05-0765 of Electronic Data Systems Corporation.

Respectfully submitted,

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